Applicant has corrected the dependencies.

5. ...Y Examples of some unclear, inexact or verbose terms used in the specification are:
a. Numerous typographical errors, such as the failure of the applicant to end each sentence by a period followed by one or more spaces on lines 19 and 26 of page 1;

Amendments have been made.

b. Errors of grammar, such as the usage of the plural form of medium where the singular would have been appropriate on page 19, line 33;

An amendment has been made.

c. The usage of periods at the beginning of sentences or portions thereof in place of bullets, such as on lines 6, 7, 9, 11, 15, and 17 of page 5;

Amendments have been made.

d. Arbitrary changes in verb conjugation between the third person and the second person and back again, such as on page 74;

Applicant prefers not to change the text.

e. The failure to replace place-holding text with final text for submission with the completed application on page 56, lines 32-33 ("run a stored (term for interaction) with users 783.");

An amendment has been made.

f. Inaccurate transitions, such as line 1 of page 66 ("Turning now to the drawing [sic], fig. 10 illustrates... "with no discussion of the drawings until page 70);

An amendment has been made.

g. The definitions on pages 32 and 33 in light of the preceding statement on lines 13 through 15 of page 32 that such definitions should not be construed as limiting;

Applicant believes that it is permitted to include an explanation of the manner in which the definitions should be construed.

h. The use of inaccurate terms, such as "permanent flag" for a flag that may be reset to a different value in lines 16-24 of page 71; and

An amendment has been made.

i. The use of the term "etc." as a specific example, such as on page 134, line 30 (lines 27-28 labeled each of the following items as examples).

An amendment has been made.

6. The disclosure is objected to because of the following informalities:
a. The brief description of the drawings is inaccurate in many respects:
i. Figures 1 and 13 are identified as flowcharts of systems. Flowcharts describe methods or functions, not systems.
ii. The description of figure 9 fails to note that it is a continuation of figure 8.
iii. Figure 12 is identified as a flowchart of a database. A flowchart of a database is logically impossible. The flowchart may describe the process of adding data to the database, however.
iv. Figures 17, 18, and 20 are not identified with sufficient particularity. They are not even identified as relating to the subject matter of the present application.
v. Figures 21, 24, 25, 27, 28, 29, 30, 31, and 32 are identified as relating to "illustrations of various views of some uses of the invention". The applicant is reminded that the purpose of the brief description is to identify separately the particular view that each figure represents.
vi. The description of figure 22 is wrong. It does not represent either an illustration of a trigger event or a flowchart. Instead it is a chart relating to the learning curve associated with a product.
vii. The description of figures 34A and 34B is insufficiently descriptive.

Amendments have been made.

b. Elements of the drawings are misidentified throughout the text of the specification.

For example, items 14, 24, 26, and 30 are said to represent a network on lines 28 and 29 of page 36, but instead constitute steps of a process that does not require any network. Also, item 51, identified on line 4 of page 42 as "additional I/O communications" is not shown in the drawings.

Amendments have been made.

8. The drawings are objected to because they contain logical errors and inconsistencies. For example, in figure 8, element 220 states that a choice should be confirmed; however, that choice is not made in the flowchart. Also, while the flowchart in figure 8 appears to be directed toward the choice of certain elements by a user, it appears to contain directions to the programmer of the system as well. For example, the statement "include subroutines to add and delete sets" in element 218 does not appear to relate to a choice available to the user.

Applicant believes that the choice indicated in element

220 need not be confirmed explicitly in figure 8. Applicant does not understand that there is any requirement that a flow chart be expressed from the viewpoint of only one party.

> **9. The drawings are further objected to because figure 26 contains an unnecessary textual description of the drawing ("This may also work in other sequences and arrangements."). The text should appear in the detailed description only. Correction is required.**

The text has been amended. Figure 26 is attached with proposed changes red-marked.

> **10. The drawings are further objected to because figure 33 is described in the brief description and on page 146 as illustrating reuse of components. No such reuse is shown or suggested by the figure. Correction is required.**

As indicated on page 146 at lines 14-17, the line marked 1140 in figure 33 suggests the reuse.

> **11. The drawings are further objected to as failing to comply with 37 CFR 1.84(9)(4) because reference characters "70" and "182" have both been used to designate the same display. Correction is required.**

> **12. The drawings are objected to under 37 C.F.R. 1.84(o) because figure 21 lacks a legend identifying the various elements. Correction is required.**

Applicant is unclear on which elements the examiner believes need legends.

> **14. Claims 2-5, 7, 8, 14, 16-42, and 48-53 are rejected under 35 U.S.C. 112, first paragraph,**
>
> **as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make the invention.**
>
> **Although the specification contains abundant description as to how to use the claimed invention and sufficient detail as to how to make the hardware portions of the claimed invention, the specification contains little description of how to make the software portions of the claimed invention other than a brief discussion of certain database structures on pages 105-110. The specification does not describe (in the case of software embodiments) the platform or platforms to be used, the division of functionality between a customer's computer and a manufacturer's computers, and the major modules or functions of the software. One of ordinary skill in the user feedback and user help programming arts would accordingly be unable to build the claimed invention based on the specification.**

The first paragraph of section 112 only requires that a person skilled in the art to which the invention pertains be enabled by the description to make and use the invention. The examiner acknowledges that the specification "contains abundant description as to how to use the claimed invention and sufficient detail as to how to make the hardware portions of the claimed invention." But the examiner argues that the specification does not contain three needed pieces of information relating to the "software embodiments": (1) the platform or platforms to be used; (2) the division of functionality between a customer's computer and a manufacturer's computers; and (3) the major modules or functions of the software.

Applicant respectfully disagrees.

With respect to the first item, it would be well known to a person skilled in the art that a variety of software platforms are available. A person skilled in the art would have no difficulty in choosing a platform that would be suitable to achieve the functions described in the patent application.

With respect to the second and third items, a very significant proportion of the discussion on pages 35 through 138 and pages 157 to 162, for example, provides a rich, wide ranging, and detailed description of examples of the functions that software would perform at the customer's end and at the vendor's end and of the manner and content of the interaction between those two ends. A person skilled in the art would have no difficulty, based on what is said in the specification, in developing software for the vendor's end and for the user's end that would implement the

invention. Given the completeness of the disclosure, applicant has difficulty understanding even a theoretical basis for the examiner's rejection. Applicant respectfully asks the examiner to reconsider this rejection.

> **Moreover, the description of the database structures on pages 105-110 is of limited use due to numerous errors and omissions. While the description mentions a number of specific "fields" to include in the database, it omits to mention what sort of database should be used, i.e., relational, object-oriented, network model, etc. The term "field" is usually utilized in connection with relational databases; however, the discussion appears to assume that a field can be of varying size and type (such as a field identifying one or more sets of interactions on page 106, lines 13 through 22). Thus, without greater detail regarding the overall structure of the database, the description that is given is of limited use. Other errors include the reference to pointers consisting of, inter alia, unique algorithms on page 108, lines 24 through 27 (a pointer is an address in memory) and the statement on lines 9 through 22 of page 110 that text relating to any number of questions and answers can be entered in six fields, namely "answer text 1", "answer text 2", "answer text n", "answer data 1", "answer data 2", and "answer data n". Even if one of ordinary skill in the art could be assumed to realize that the applicant intended to state that a varying number of fields could be created, depending on the number of answers to a particular question, it is doubtful that one of ordinary skill in the art at the time would have understood how to implement the database structure. While one of ordinary skill would have been able to construct a table in a relational database capable of holding varying numbers of answers, such a table would not have included fields for the trigger event and other fields identified on pages 109 and 110. In other words, one of ordinary skill, without any direction, would have split up the data identified as comprising a single record among many records of several types located in several tables. While it is may be possible to implement a structure similar to the described structure in an object-oriented database, such databases were little used at the time and unfamiliar to those of ordinary skill in the art.**

Applicant believes that the specification is more than adequate to enable a person skilled in the art to construct an appropriate database or databases. Database construction is a widely understood activity. Database designers are capable of building databases that serve a variety of functions based only on descriptions of the results to be achieved. The applicant has gone far beyond the minimal information that would suffice for a

database developer to create appropriate structures as needed to achieve the results described.

The text at lines 13 through 22 on page 106 does not state that the lengths of the fields are to be variable. In any case, a person skilled in the art would have been able to implement a scheme that would track sets of interactions in the manner suggested in the text. That is all that is required under section 112.

The same is true of the text at page 108, lines 24 through 27. That description is fully adequate to enable a person skilled in the art to generate fields that provide pointers to related interactions, actions, constructs and data in other components of the invention. The "unique algorithms" are only one of several examples, the others being easily implemented. In any case, the examiner has assumed that the "unique algorithm" would have to be held in a field of the database. But the text does not require that. For example, the algorithm could be run as a way to find the database field that contains the appropriate pointer rather than being contained in the database.

> **Furthermore, the specification suggests an intention to embed the claimed invention in a wide variety of products, in some as a piece of add-on hardware and in some as software. Therefore, the software component of the invention would need to exist on a vast array of incompatible operating platforms. The specification does not explain how the invention will function on such platforms and how compatible data will be generated. As a trivial example, a software manufacturer might have different versions of a single application for different versions of Unix, Windows, DOS, and the Macintosh operating system. Data is stored in different formats on different platforms. Even the byte order in which data in the same format is stored can differ. Constructing a system to automatically record, transfer, receive, and store data generated on different platforms is far from a trivial task. Where the platforms are less well known (in the PDA market for example), the task becomes even more difficult. In this, as in many other respects, the applicant's conception does not appear to be complete.**

Section 112 does not require such a description because it would have been well within the ability of a person skilled in the art to implement the invention even on incompatible operating platforms. Email systems and web browsing are two widespread and well-understood examples of how communication and data storage of the kind contemplated by the invention could be achieved among incompatible platforms. Similarly, generation of software for use on incompatible platforms would have been well within the ability of a person skilled in the art.

> **Claims 2-5, 7, 8, 14, 16-22, 48, and 52 are also rejected under 35 U.S.C. 112, first paragraph because the specification fails to provide written description or enablement of the element "two-way dialog". The specification fails to define the term "two-way dialog", although it does disclose "customer probes" comprising sets of stored prompts and questions. It should be noted that the responses of users cannot constitute part of the "two-way dialogs" because the actions of the users are not structural elements of the system. Thus, it is unclear what structural element "two-way dialog" is intended to define. For the purpose of applying art in this action, it will be assumed that the applicant intended to refer to (i) a set of prescripted computer prompts and questions (as in a user feedback system) or (ii) a set of prescripted computer responses (as in a help system).**

Claims 48 and 52 have been amended to refer to "interaction scripts". However, applicant disagrees that "interaction scripts" is limited to the two examples given by the examiner.

> **Claims 48 and 52 are also rejected under 35 U.S.C. 112, first paragraph because the specification fails to support use of the claimed feedback system with any "computer product". The specification discusses use of the system in a software application but does not disclose how feedback is to be handled with respect to other computer products, such as keyboards, mice, speakers, memory, and so forth. For example, it is difficult to envision how a user interface enabling two-way local interaction between the user of a mouse and the mouse could be a part of the product (as recited in claim 48). For purposes of applying art in this action, it will be assumed that "computer product" was intended to include software applications only. Claims 2-5, 7, 8, 14, and 16-22 are rejected because they depend on claim 48. Claims 50 and 51 are similarly rejected. No art will be applied by the examiner in this action to claims 50 and 51 because the**

examiner is unable to determine what the applicant intended to claim.

Applicant disagrees that the claims are limited to software products. A person skilled in the art would have understood that the invention could be used in hardware-based feedback schemes also.

The claims that depend on claim 48 are patentable for at least the same reasons.

Applicant disputes the examiner's view of claims 50 and 51 but has cancelled those claims for the moment.

Claim 48 is also rejected under 35 U.S.C. 112, first paragraph because the specification fails to support information and questions being caused by a portion of a computer product to be "conveyed" from the user to the computer product. The specification does provide support for a user causing data to be stored in a computer in response to prompts from a software product. For purposes of applying art in this action, the claim will be so interpreted. Claims 2-5, 7, 8, 14, and 16-22 are rejected because they depend on claim 48.

Applicant does not understand the rejection because it does not track the words of the claims.

Claims 2-5, 7, 8, 14, and 16-22 are patentable for at least the same reasons as claim 48.

Claim 48 is also rejected under 35 U.S.C. 112, first paragraph because the specification fails to support a "triggering mechanism". A mechanism (other than in chemistry) is a physical machine, or something having interlocking parts in a manner similar to that of a machine. Even if the use of the term "mechanism" can be considered to be proper in connection with software, the specification fails to reveal or suggest any single structure of code that would be capable of triggering the appropriate "dialog". For example, the specification suggests that a particular "customer probe" may be triggered by the nth use of a function, but does not suggest any structure in software external to that function designed to trigger the "customer probe". For purposes of applying art in this action, the "triggering mechanism" element will therefore be treated as a limitation that the software product must be able to display prompts, questions, or data at predetermined times based on data accumulated about the use of the product by the user. Claims 2-5, 7, 8, 14, and 16-22 are rejected because they depend on claim 48.

Claim 48 has been amended. Applicant disagrees with the claim scope proposed by the examiner. The claim covers any triggering elements. Trigger elements are described, for example, on pages 66-74.

The other listed claims are patentable for at least the same reasons as claim 48.

> **Claim 48 is also rejected under 35 U.S.C. 112, first paragraph because the specification fails to support an "electronic communication mechanism" as part of a software product. Two electronic communication mechanisms for use with a computer are well known in the art, namely modems (with related communications software) and network connections hardware (with related networking software). Neither one can constitute part of a software product. For purposes of applying art in this action, an "electronic communication mechanism" will be treated as software means cooperating with an electronic communication mechanism (including related software) that is not part of the software product. Claims 2-5, 7, 8, 14, and 16-22 are rejected because they depend on claim 48.**

Claim 48 is directed to any computer product, not only a software product. Claim 48 has been amended.

The other listed claims are patentable for at least the same reasons.

> **Claim 52 is also rejected under 35 U.S.C. 112, first paragraph because the specification fails to provide enablement for selectively enabling and disabling the user interface. The applicant should note that it is not possible for a user to disable and subsequently enable a user interface. Once the interface is disabled, the user can no longer interact with the product in any way. In other words, any mechanism for enabling an interface is itself part of the interface and is not enabled when the user interface is not enabled. For the purpose of applying art in this office action, it will be assumed that the applicant intended to refer to selectively enabling and disabling the user feedback system.**

Applicant disagrees. The claim recites "a user interface". The phrase is not necessarily meant to include every aspect in which the user interacts with a product. For example, there may be more than one user interface to a product.

> **Claim 23 is also rejected under 35 U.S.C. 112, first paragraph because the specification fails to support for "interactive two way communication between the user and**

> the designer" of a product. Interactive communication is characterized by immediate, real-time responses to statements. The specification discloses the preparation of questions by the designer at the time of designing a product, the preparation of answers thereto by the user during use of the product (which is likely to be months or years thereafter), and the preparation of a second set of questions by the designer after analyzing responses to the first set of questions some time thereafter (perhaps days but more likely months or years later). No support is provided for automatically generating subsequent sets of questions based on free-form natural language replies by users to earlier sets of questions. For purposes of applying art in this action, the term interactive will be ignored throughout claim 23. Claims 24 through 42 are also rejected because they depend on claim 23.

Claim 23 has been amended. The other listed claims are patentable for the same reasons as claim 23.

> Claim 23 is also rejected under 35 U.S.C. 112, first paragraph because the specification fails to support for running user tests of information recovered from the user feedback element. The specification fails to describe having users test the feedback, or why anyone would want users to test such data, or how such data should be tested by users, or what standards would be used to validate or invalidate such data in light of such tests.

Applicant does not understand the basis of the rejection because claim 23 does not recite "running user tests of information recovered from the user feedback element."

> Claim 38 is also rejected because it depends on claim 37. No art will be applied to claims 37 and 38 in this action because the examiner is unable to determine what the applicant intended to claim by the language of the claim.

Claim 37 has been cancelled. Claim 38 has been amended.

> 16. Claim 8 is rejected under 35 U.S.C. 112, 2nd paragraph as being vague and indefinite in that the specification fails to explain how a trigger may be executed (causing a "dialog" to execute) by something that is both part of the product (being used locally by the user) and also a "remote [party]". One of ordinary skill in the art would not be able to determine what subject matter was intended to be claimed in that remote parties are usually thought to be natural or legal persons and products are not ordinarily thought to include natural or legal persons. Because the examiner is unable to determine what was intended by this claim, no art will be applied thereto in this action.

Claim 8 does not recite, as the examiner suggests, that the trigger is executed; it recites that the triggering element is initiated. Applicant therefore disagrees with the examiner's

comments.

> **Claim 16 is also rejected under 35 U.S.C. 112, 2nd paragraph as being vague and indefinite in that the specification fails to explain how an electronic communication mechanism can consist of a broadcast transmission, a wire, or a removable memory device. A broadcast transmission is not a mechanism: the hardware and associated software necessary to send a broadcast transmission is the mechanism. A wire is not an electronic communication mechanism, although it may constitute a small part of such a mechanism. A removable memory device is not such a mechanism either. It should be noted that sending a removable memory device by mail or by courier to another location does not constitute electronic communication any more than a human printing a message with a pen on a piece of paper and sending it to another location via the postal service (the message being capable of being scanned and converted to text by an OCR program). For purposes of applying art in this action, it will be assumed that the applicant intended to claim software capable of cooperating with an electronic communication mechanism so as to transmit the relevant data by broadcast transmission or over a wire communication link.**

Claim 16 has been amended. Applicant disagrees with the assumption stated in the final sentence of the examiner's comments.

> **Claim 22 is also rejected under 35 U.S.C. 112, 2nd paragraph as being vague and indefinite in that the specification fails to explain how a user could selectively enable and disable a user interface by means of a control forming part of the interface. If the interface is disabled, the user cannot interact with the control for enabling the interface. One of ordinary skill in the art would therefore be unable to determine the meaning of this claim for this reason. Because the examiner is unable to determine what was intended by this claim, no art will be applied thereto in this action.**

Claim 22 is patentable for at least the same reasons given for claim 52 above.

> **17. Claim 14 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting an essential element, such omission amounting to a gap between the elements. See MPEP ? 2172.01. The omitted elements is the software constituting the user interface. Screens, keyboards, microphones, and speakers are input and output devices. Without an operating system or other suitable software, such elements are incapable of functioning as a user interface. For example, without suitable software, typing on a keyboard will not enable the user to interact with a computer. For purposes of applying art in this action, it will be assumed that the applicant intended to include suitable user interface software as a required element of the user interface in addition to the keyboard, display, speaker, or microphone.**

In claim 14 the "user interface" is said to "comprise"

the other elements. Although the user interface could include software, that is not a requirement.

> **19. Claims 2-5, 7, 8, 14, 16-42, and 48-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chiang in view of Direct Dispatch.**
>
> **With respect to claims 48 (which is interpreted as discussed above in paragraph 14), 49, and 2, Chiang discloses an on-line tutorial system for use with software products running under a multitasking operating system (such as OS/2 or Windows) that provides a separate execution space in memory for each concurrently running program. Column 2, line 48 through column 3, line 6. The system includes three sets of linked panels: lesson panels, step panels (which are detail panels for the lesson panels), and concept panels. These prescripted explanations of the software product are displayed in response to user input consisting of selecting what subject matter is to be taught by the system. Column 3, lines 30 through 56. The system also includes a monitoring system that allows the user to execute a procedure explained in a lesson panel, but that generates an error message when the user's input is inappropriate (based on prescripted "triggers"). Column 3, line 57 through column 4, line 10. Thus, the interface of the tutorial system set forth in Chiang provides for communication of prompts from the user to the tutorial system and information concerning the use of the product in response thereto from the tutorial system to the user. Moreover, the tutorial system is designed to include separate sets of data or lessons for use by users of different levels of expertise. Column 10, lines 31 through 46. Chiang further discloses the use of a tutorial authoring system to generate prompts and data to be displayed in response to the prompts. Column 7, line 41 through column 8, line 35.**

Chiang neither discloses nor suggests that the vendor of the software application to which the tutorial applies is in communication with the units of the software application with which users are interacting during the tutorial. The examiner apparently recognizes that Chiang does not disclose or suggest, as recited in claims 48 and 52: (a) a communication element that carries the interaction scripts and results of triggered interactions between the units of the products and one or more remote third parties; or (b) a generation element that enables generation of new interaction scripts based on the results of previously triggered interaction scripts occurring at more than one of the units of the product.

Claim 53 recites a similar communication element. And claim 23 recites "two-way communication" between the user and the designer.

> **Direct Dispatch is an application that runs under Windows and allows a user to open, change, track, and close trouble tickets concerning network problems. In other words, it allows a user to enter information concerning the use of a product in response to preprogrammed prompts. New Management Tools, column 1, paragraph 2; Trouble Management System. The trouble tickets are sent electronically to MCI's system for review by MCI. See New Management Tools, column 1, paragraph 3.**

Like the Chiang reference, Direct Dispatch lacks any disclosure or suggestion of the claim 48 element: "an element that enables generation of new interaction scripts based on the results of previously triggered interaction scripts occurring at more than one of the units of the product." The examiner seems to recognize that both Chiang and Direct Dispatch lack this element for he goes on, below, to construct an argument why that element would have been obvious. Direct Dispatch also lacks the step of claim 23 in which two-way communication is initiated based on usage of information accumulated at the product about use of the product by the user; and also lacks the value information server of claim 53.

> **It was well known in the programming arts that software applications, particularly new and innovative applications often suffer from both a steep learning curve and from many actual defects in the design or implementation of the application. Furthermore, it is well known that a new user of a software application often cannot distinguish between his lack of knowledge about the manner of operation of the application and actual defects in the application. Therefore, it would have been obvious to one of ordinary skill in the user training, help, and feedback programming art at the time who was implementing a system in accordance with the invention of Chiang to include functionality similar to that of Direct Dispatch in the system in order to allow the user to obtain help from the manufacturer with respect to an actual defect in the application or any feature of the application that the user is unable to understand in light of the tutorial.**

Applicant does not necessarily accept the examiner's assertions of the state of the prior art in the absence of specific

references. However, even if the examiner's assertions were correct, the inclusion of "functionality similar to that of Direct Dispatch in the system in order to allow the user to obtain help form the manufacturer with respect to an actual defect in the application or any feature of the application that the user is unable to understand in light of the tutorial" is not significant because such an system would not include at least one element of claims 48 and 52 that is also missing from both Chiang and Direct Dispatch, namely the generation element. The same is true of the elements of claims 23 and 53 mentioned above. Apparently, understanding the shortcoming of the argument, the examiner proceeds to a further creation of prior art from whole cloth as outlined below.

> **It would further have been obvious to one of ordinary skill in the art at the time to revise the tutorial lessons for a product in light of user feedback contained in the trouble tickets. For example, if a large number of tickets indicated that users failed to understand how to use a particular feature of the product, the explanation of that product might be elaborated in the next version of the tutorial.**

Applicant respectively suggests that the examiner's self-generated prior art has ventured inappropriately far afield from the disclosures and suggestions of the cited references. What the examiner has done is to (1) take two references neither of which contains any suggestion to combine them, (2) infer that the suggestion would have existed, (3) reach a combination of the two references that lacks at least one key element of the claim, (4) infer, without citation of any other reference, that a person skilled in the art would have understood the value of a system in which a user would "obtain help from the manufacturer with respect

to an actual defect in the application or any feature of the application that the user is unable to understand in light of the tutorial", (5) by way of that inference, reach a system that still does not contain key elements of the claims, (6) extend the inference, without citing additional prior art references, to yet another level in which the "explanation of that product might be elaborated in the next version of the tutorial", and (7) by that further inference, reach a system that still does not meet the claim language. Applicant submits that this is not a justifiable basis on which to reject the claims.

> **It would also have been obvious to one of ordinary skill in the art at the time to include in the trouble ticket survey questions relating to the problem that gave rise to the trouble ticket (e.g., relating to the clarity of the section of the tutorial relating to the problem) because doing so would provide a quick and inexpensive way to obtain feedback from users.**

The examiner has made another unsupported inference to find another element of the claim in the prior art. Applicant respectfully asks the examiner to reconsider his position.

> **With respect to claims 3 and 17, it was well known to use software products to analyze user feedback in order to improve a product. Therefore, it would have been obvious to one of ordinary skill in the art at the time to feed the data from the trouble tickets into a third party analysis tool and to use the results to aid in designing an improved version of the product in question. Furthermore Chiang clearly envisages use of his tutorial system with multiple products. See column 1, line 10 through column 3, line 15.**
>
> **In connection with claim 4, Chiang discloses an authoring system capable of generating new prompts, questions, and data, and interface elements related thereto, as discussed above in connection with claims 48, 49, and 2. It was well known in the art at the time to post product updates on a company's bulletin board for transmission to users of the product by downloading. Therefore, it would have been obvious to one of ordinary skill in the art at the time to generate a tutorial revised in light of data gathered from the trouble tickets and to post the revised tutorial on the company's bulletin board for downloading.**
>
> **With regard to claim 5, Chiang discloses the selective enabling and disabling of messages generated in response to user actions in the monitoring module of his system.**

Column 16, lines 19 through 26.

With respect to claim 7, it was well known that software running under operating systems such as OS/2 ordinarily executes locally. Accordingly, one of ordinary skill in the art at the time would read Chiang to include local execution of triggers.

In connection with claim 14, computers running operating systems such as OS/2 or Windows ordinarily include a display screen, a keyboard, and one or more speakers and may optionally include a microphone.

With respect to claim 16, Direct Dispatch envisions users communicating with MCI's computer network. New Management Tools, column 1, paragraphs 2 and 3. It was well known in the art at the time that users customarily communicated with remote networks by means of a telephone link, which is usually a form of a wire link.

With regard to claims 18 and 19, Chiang clearly envisages user interface elements such as prompts including natural language elements such as English words, which is common in programs written for modem operating systems such as Windows and OS/2. It was well known in the art at the time for an application to permit the user to select the language to be used in the user interface. It would have been obvious to one of ordinary skill in the art at the time to allow such a choice in the case of a system in accordance with Chiang's invention (as modified as described above with respect to claims 48, 49, and 2) because allowing a user to interact with the system in his native language would increase the likelihood that the user could resolve his difficulties with the aid of the system and without needing to call technical support, thereby decreasing the manufacturer's technical support expense.

In connection with claims 20 and 21, it is well known in the art that user interface elements in programs written for operating systems such as Windows and OS/2 permit the user to retain control in the process of entering data in dialog boxes and other user interface elements and allow the user to elect not to enter such data. Therefore, it would have been obvious to one of ordinary skill in the art at the time to allow the user to retain control over such forms of communication and to terminate such forms of communication.

Without conceding any of the examiner's arguments, applicant notes that claims 3-5, 7, 14, and 16-21 are patentable for at least the same reasons as the claims on which they depend.

With respect to claim 23, it was well known in the art at the time to create a first version of a product, to obtain feedback from users based on questions posed by the designer of the product, to analyze such feedback, and to redesign the product in accordance with the results of the analysis. Chiang, in combination with Direct Dispatch, as discussed above in connection with claims 48, 49, and 2, provides a method for including a user feedback element allowing for communication between the designer of a

> product and the users thereof under control of the users and for recovering feedback data from such feedback element. Moreover, it would have been obvious to one of ordinary skill in the art at the time to include with the modified Chiang system a capability for the user to disable feedback questions when completing trouble tickets because it is well known that many users are annoyed by having to complete questionnaires.

The examiner has reconstructed the invention of claim 23 from prior art that he has inferred from personal knowledge using the hindsight benefit of claim 23 itself. Applicant submits this is impermissible.

> With regard to claims 24 through 34, it was well known for survey questions and answers thereto to include information provided by the user with respect to (i) problems connected with use of the product, (ii) solutions thereto, (iii) usability of the product, (iv) demographic data about the user, (v) use panems of the product, (vi) business processes using the product, (vii) analysis of tasks performed by the user with the product, (viii) business transactions performed by the user, and (ix) user suggestions concerning such matters as expansion of business relationships and improvements of processes.
>
> In connection with claim 35, Direct Dispatch allows a user to set a priority for response to information entered by the user. New Management Tools, Column 1, paragraph 3.
>
> With respect to claim 36, it would have been obvious to one of ordinary skill in the art at the time to include in the system in accordance with the invention of Chiang, combined with Direct Dispatch, as discussed above with respect to claims 48, 49, and 2, provision for feedback with respect to the interactive learning sessions discussed in Chiang, as noted above.
>
> With regard to claims 39 and 42, it would have been obvious to one of ordinary skill in the art at the time to share feedback data with third parties or otherwise grant access to feedback data to third parties, such as designers of commercial-off-the-shelf software components, to enable the third parties to redesign their products in light of the user feedback.
>
> In connection with claim 40, it is well known in the art at the time to compensate a user for his time in providing feedback with cash, coupons, or free product licenses (especially to beta testers of products). It would have been obvious to one of ordinary skill in the art at the time to provide discount coupons or free upgrades in order to encourage full and frank analyses of the product by users thereof.
>
> With respect to claim 41, it was well known in the art at the time to buy and sell feedback data, especially demographic user data. Accordingly, it would have been obvious to one of ordinary skill in the art at the time to provide such a capability in Chiang's system, as modified by Direct Dispatch, as discussed above in connection with

claims 48, 49, and 2.

Without conceding any of the examiner's arguments, applicant notes that claims 24 through 36 and 39-42 are patentable for at least the same reasons as the claims on which they depend.

Claims 52 and 53 are rejected for the reasons set forth above with respect to claims 23 and 48 and the claims depending therefrom.

Claims 52 and 53 are discussed above.

Respectfully submitted,

Date: 3/15/99

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